

MEMORANDUM

SUBJECT: FY2000/2001 Reporting for Compliance Assurance Programs (RECAP) OECA's Performance Measures

FROM: Michael M. Stahl, Acting Director
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TO: OECA Office and Deputy Office Directors
OECA Division Directors
Regional Counsels, Regions I - X
Director, Office of Environmental Stewardship, Region I
Director, Division of Enforcement and Compliance Assurance, Region II
Director, Environmental Accountability Division, Region IV
Director, Compliance Assurance and Enforcement Division, Region VI
Director, Office of Enforcement, Compliance and Environmental Justice, Region VIII
Enforcement Coordinators, Regions I - X
MOA Coordinators Regions I - X

Attached for your use is the final FY2000/2001 RECAP (Reporting for Enforcement and Compliance Assurance Priorities) document. This document is the result of several months of collaboration between the Office of Compliance, the Office of Regulatory Enforcement and our regional offices. The final document provides a comprehensive listing of all of OECA's Performance Measures. It includes the measures that will be used for MOA priority tracking purposes; to determine our performance against GPRA goals and commitments (Annual Performance Goals and Measures); and to display our activities as part of National Performance Measures Strategy implementation as well as measures that are used by OECA management for various other purposes such as end-of-year reporting and regional visits.

To facilitate our media programs' use of this document, the majority of the measures are organized by statute. In addition, there are specific chapters for the measures used for our compliance assistance, compliance incentives, criminal, federal facility, and enforcement

outcomes tracking work.

Significant Changes from former RECAP and areas for new reporting:

- **MOA Priority Measures:** These measures were formerly not part of RECAP and are now being integrated into RECAP.
- **Audit Measures:** These measures were formerly not part of RECAP and are now being integrated into RECAP.
- **Multi-Media Inspections:** The tracking of multi-media inspections and manual reporting of these inspections is now required.
- **CWA:** RECAP now includes SNC measures for POTWs that are in SNC for failure to adequately implement their pretreatment program. This will require that this data be entered into PCS (See Section VI: SNCW1). The T & A measure for water will no longer be based on exceptions list reporting; it will be pulled directly from PCS (See Section VI: SNCW5). Since state referrals are considered addressing actions, we will be pulling on state referrals in PCS. While this data element has been a required field, states have been uneven in their reporting. We plan to issue a memo reminding them of their obligation to report referrals to PCS.
- **SDWA:** The SNC measures for SDWA will not be exceptions list based. Instead they will be a system-wide rate. A public water system will be in SNC if it is in SNC for any underlying rule. This differs from what previously had been a rule-based SNC rate; whereby if a system was in SNC for chem/rad and for the Surface Treatment Rule it would receive two SNC counts; now it will get one overall SNC count.
- **RCRA:** There are two universes for the RCRA SNC and Inspection measures: the total universe and the operating or active universe. In addition, there is now a T & A measure for the RCRA program as well (See Section VIII: SNCR4)
- **TSCA:** Since there are fields in Docket for audit cases and Notices of Determination, regions should report audit cases in Docket rather than using the FTTS CCA-Civil Complaint Audit Policy field (See Section IX:EOCOT0).
- **Enforcement Measures:** The case conclusion data sheet as well as Docket have been modified to enable us to track environmental benefits from cases within MOA priority areas. In addition, some unused fields on the CCDS, such as whether the action was part of a geographic initiative, have been deleted. Moreover, with the Agency's elimination of the use of the FINDS system to track facilities, we are exploring the reporting of program ID# (permit number) as an alternative. For other cases, such as those in the TSCA/FIFRA programs that do not have program ID #'s, you would be asked to report the FLA ID number. A memo specifically addressing the program ID#/FLA issue is forthcoming. A

copy of the new CCDS along with the definitions is included in the Appendix of RECAP. In addition, for each of the media programs, we will be tracking various measures with respect to active consent decree tracking. The entry of consent decree tracking information into Docket is now required.

Organization of the Measures:

For each measure listed in RECAP there is: a measure code; the name of the measure; the name of the database from which the data will be pulled (unless the measure results from manual reporting); the exact database fields from which the data will be pulled; and the reason for the measure (the connection to NPMS; the GPRA measure for which it will provide data; its use by OECA management). In addition, all measures that require new reporting are noted.

Reporting Frequencies:

While the exact dates for mid-year and end-of-year reporting vary by program system, OC will be working over the next year to consolidate the reporting dates so that they are as consistent across media program as possible. The frequency of reporting is as follows:

| Type of Measure | Reporting Frequency |
|--|------------------------------------|
| Enforcement Outcomes (Section IV) | Annual (EOY) |
| SNC/HPV Measures (Sections V - VIII) | Semi- Annual |
| Compliance Monitoring Measures (Sections V - VIII) a. investigations b. citizen compliants c. inspections | Semi-Annual |
| Enforcement Output Measures (Sections V - VIII) | Semi-Annual |
| Compliance Assistance Measures (Section II) | Semi-Annual |
| Compliance Incentives Measures (Section III) | Semi-Annual |
| MOA Manual Measures | Varies by measure; see Section One |

With the onset of the Government Performance Results Act and the resulting performance commitments that we have made in implementing the Agency's Strategic Plan, it is critical that we strive to ensure that we can adequately measure the performance of our compliance assurance program. In compiling a RECAP document that comprehensively and clearly lays out our

measurement expectations, we ask that the regions and their states give careful consideration to the quality and completeness of the data that is the underpinning of our measurement program. As we strive to make our measures understandable and their reports widely-accessible, we ask in return that you strive to have complete and accurate data for us to draw upon. If you have any questions on these measures, please call Anne Lassiter or Lynn Vendinello at 202-564-2290 and 202-564-7066.

Attachments

cc: Regional NPMS Measures Leads
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